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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/579,746	05/26/2000	GREGORY W. COX	CM03931H	9791

22917 7590 07/10/2003

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EXAMINER

LE, DANH C

ART UNIT	PAPER NUMBER
2683	

DATE MAILED: 07/10/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>
	09/579,746	COX ET AL.
	<b>Examiner</b>	<b>Art Unit</b>
	DANH C LE	2683

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

1) Responsive to communication(s) filed on 23 April 2003.

2a) This action is FINAL. 2b) This action is non-final.

3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

4) Claim(s) 1-32 and 34-49 is/are pending in the application.

4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.

5) Claim(s) 1-23 and 39-49 is/are allowed.

6) Claim(s) 24,25,32 and 34-39 is/are rejected.

7) Claim(s) 26-31 is/are objected to.

8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

9) The specification is objected to by the Examiner.

10) The drawing(s) filed on \_\_\_\_\_ is/are: a) accepted or b) objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

11) The proposed drawing correction filed on \_\_\_\_\_ is: a) approved b) disapproved by the Examiner.

If approved, corrected drawings are required in reply to this Office action.

12) The oath or declaration is objected to by the Examiner.

**Priority under 35 U.S.C. §§ 119 and 120**

13) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a) All b) Some \* c) None of:

1. Certified copies of the priority documents have been received.

2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.

3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

14) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).

a) The translation of the foreign language provisional application has been received.

15) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

**Attachment(s)**

1) Notice of References Cited (PTO-892)

2) Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_\_.

4) Interview Summary (PTO-413) Paper No(s) \_\_\_\_\_.

5) Notice of Informal Patent Application (PTO-152)

6) Other: \_\_\_\_\_.

## DETAILED ACTION

### ***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

1. Claims 24-25, 32, 34-39 are rejected under 35 U.S.C. 102(e) as being anticipated by Silverman (US 6,363,248).

As to claim 24, Silverman teaches an apparatus that communicates with a telephone communication system for processing a telephone call, wherein the processing performed by the telephone communication system comprises forwarding the telephone call (figure 1), the apparatus comprising:

a processor (65), in a wireless communication system, that receives information comprising a geographical location at which a primary communication device is located (10) and that identifies a target communication device (15, 20, 25) to which the call shall be forwarded based on the geographical location of the primary communication device; and

a gateway mobile location center (60), in the wireless communication system and coupled to the processor, wherein the gateway mobile location center determines the geographical location of the primary communication device and delivers the

geographical location to the processor and wherein the gateway mobile location center identifies the location of mobile subscriber units within the wireless communication 15

As to claim 25, Silverman teaches the apparatus of claim 24, further comprising:

a memory coupled to the processor wherein data is stored, and wherein the data comprises a list of one or more candidate communication devices, and wherein the data further comprises a list of one or more geographical regions, wherein each of the geographical regions is associated with one of the candidate communication devices; and

wherein the processor compares the geographical location of the primary communication device to the one or more geographical regions in the memory to determine in which of the one or more geographical regions the primary communication device is located, and further wherein the processor identifies the candidate communication device associated with the geographical region within which the primary communication device is located as the target communication device to which the call shall be forwarded (col.4, line 10-col.6, line 27).

As to claim 32, Silverman teaches the apparatus defined in claim 25, wherein the telephone communication system comprises a switching center and wherein the apparatus is disposed in a location call filtering center that is coupled to the switching

As to claim 34, Silverman teaches the apparatus defined in claim 25, wherein the processor and the memory are disposed in a communication device (col.4, line 10-col.6, line 27).

As to claim 35, Silverman teaches the apparatus defined in claim 34, further comprising a geographical location determining apparatus disposed in the communication device, wherein the geographical location determining apparatus determines the location of the primary communication device (col.4, line 10-col.6, line 27).

As to claim 36, Silverman teaches the apparatus as defined in claim 25, wherein the primary communication device is selected from the group consisting of a telephone, and a paging device (col.4, line 10-col.6, line 27).

As to claim 37, Silverman teaches the apparatus as defined in claim 25, wherein the target communication device is selected from a group consisting of a paging device and a voicemail program (col.4, line 10-col.6, line 27).

As to claim 38, Silverman teaches the apparatus as defined in claim 25, wherein the data entered comprises a set of preferences, and further wherein the processor uses the set of preferences in conjunction with the geographical location of the primary communication device to identify the target communication device (col.4, line 10-col.6, line 27).

#### ***Allowable Subject Matter***

Claims 1-23, 29-49 are allowed.

As to claims 1 and 39, Buppelmann (US 6,556,831) teaches the telecommunication system. Syed et al (US 6,038,451) teaches the location based method of and system for forwarding wireless telephone calls. Akhteruzzaman (US 6,584,316) teaches the hand off of phone call from wireless to wire-line network. The

teaching of above and previous prior arts fails to teach the communication system processes a communication signal by performing any of a plurality of operations on the communication signal that receives information regarding the availability of a geographical location of a primary communication device, wherein the information indicates whether the geographical location is available, and if the information indicates that the geographical location is not available, then the processor identifies one or more of the operations to be performed on the communication signal based on the information that the geographical location is not available.

Dependent claims 2-23, 40-49 are allowable for the same reason.

Claims 26-31 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

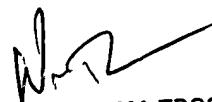
As to claims 26-31, Silverman fails to teach the limitations of the claimed invention.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to DANH C LE whose telephone number is 703-306-0542. The examiner can normally be reached on 8:00AM-5:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, WILLIAM TROST can be reached on 703-308-5318. The fax phone numbers for the organization where this application or proceeding is assigned are 703-872-9314 for regular communications and 703-872-9314 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-3900.

Danh  
Danh C.Le  
July 6, 2003

  
WILLIAM TROST  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2600